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Attorneys for Defendant ADECCO USA, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

KAITLYN SHEPARDSON,
individually, and on behalf of other
members of the general public similarly
situated,

Case No.: 3:15-cv-05102-EMC
(San Mateo Superior Court CIV 535091)

CLASS ACTION

Plaintiff.

VS.

ADECCO USA, INC.,
and DOES 1 through 100, inclusive,

Defendants.

**JOINT STIPULATION AND
[PROPOSED] ORDER TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

Hon. Edward M. Chen / Room 5

DATE: JULY 6, 2017

DATE: JULY 3, 2013
Time: 10:30 a.m.

Time: 1
Room: 5

1 By and through their respective counsel of record, Plaintiff Kaitlyn Shepardson (“Plaintiff”)
2 and Defendant ADECCO USA INC, (“Defendant”) hereby STIPULATE, and the COURT
3 HEREBY ORDERS, ADJUDGES AND DECREES as follows:
4

5 WHEREAS, Plaintiff filed this proposed class action on or about August 18, 2015;

6 WHEREAS, Defendant removed the action to this Court and filed a Motion to Compel
single plaintiff arbitration pursuant to the Arbitration Agreement between the parties;

7 WHEREAS, the Court granted Defendant’s Motion to Compel single plaintiff arbitration
pursuant to the arbitration agreement, which contains a ban on class actions;

8 WHEREAS, Plaintiff simultaneously challenged the enforceability of the Arbitration
Agreement and its ban on class actions as a violation of federal law with the National Labor
9 Relations Board;

10 WHEREAS, after the Court ruled on the Motion to Compel in this case, the Ninth Circuit
Court of Appeal in *Morris v. Ernst Young* held that bans on class actions in arbitration agreements
11 violate the National Labor Relations Act;

12 WHEREAS the decision in *Morris v. Ernst Young* conflicts with existing decisions from
other Circuit Courts of Appeal;

13 WHEREAS, the United States Supreme Court has granted review of the *Morris v. Ernst*
Young decision to resolve the enforceability of class actions bans in arbitration agreements given
the National Labor Relations Act;

14 WHEREAS, on January 19, 2017, the Court ordered this case stayed pending the Supreme
Court decision in *Morris v. Ernst Young* (DKT. 29);

15 WHEREAS, the United States Supreme Court rescheduled the June 2017 oral argument in
this matter and has now placed the *Morris v. Ernst Young* case on its fall calendar;

16 WHEREAS, the parties have met and conferred and agree that a continued stay of the
proceedings pending resolution of *Morris v. Ernst Young* is warranted;

1 NOW THEREFORE, Plaintiff and Defendant do hereby stipulate that the stay of the
2 proceedings shall remain in effect pending the resolution of *Morris v. Ernst Young*, with the Court
3 to set a Further Case Management Conference in October 2017 to discuss how to proceed.
4

5 Dated: June 27, 2017
6

7 **BRYAN CAVE LLP**
8

9 By: /s/Julie Patterson
10 Julie Patterson
11 *Attorneys for Defendant*

12 **SIGNATURE CERTIFICATE**
13 I hereby certify that I have obtained counsel's authorization to affix her electronic signature
14 to this document.

15 **RIGHETTI • GLUGOSKI P.C.**

16 By: /s/John Glugoski
17 John Glugoski
18 *Attorneys for Plaintiff*
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ORDER

Based on the foregoing Stipulation and good cause appearing, IT IS HEREBY ORDERED AS FOLLOWS:

The Case Management Conference set for July 6, 2017 shall be continued to
Oct. 5, 2017. The stay of this action shall remain in effect pending the resolution of
Morris v. Ernst Young. A Joint Case Management Conference Statement shall be due
September 28, 2017

Dated: June 27, 2017

